

## Article - State Government

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§20–303.

(a) This subtitle does not apply:

(1) to a private club or other establishment that is not open to the public, except to the extent that the facilities of the private club or other establishment are made available to the customers or patrons of an establishment within the scope of this subtitle;

(2) with respect to sex discrimination, to a facility that is:

(i) uniquely private and personal in nature; and

(ii) designed to accommodate only a particular sex; and

(3) to an establishment providing lodging to transient guests located within a building that:

(i) contains not more than five rooms for rent or hire; and

(ii) is occupied by the proprietor of the establishment as the proprietor's residence.

(b) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Equivalent private space” means a space that is functionally equivalent to the space made available to users of a private facility.

(iii) “Private facility” means a facility:

1. that is designed to accommodate only a particular sex;

2. that is designed to be used simultaneously by more than one user of the same sex; and

3. in which it is customary to disrobe in view of other users of the facility.

(2) Except as provided in paragraph (3) of this subsection, this subtitle applies, with respect to gender identity, to all facilities in a place of public accommodation.

(3) This subtitle does not apply, with respect to gender identity, to a private facility, if the place of public accommodation in which the private facility is located makes available, for the use of persons whose gender identity is different from their assigned sex at birth, an equivalent private space.

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